

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LEIGH GLASS,
Plaintiff,
v.

U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, et al.,
Defendants.

Case No. [16-cv-02142-JD](#)

ORDER OF DISMISSAL

This case has been inactive since May 9, 2018, when pro se plaintiff Leigh Glass filed a case management statement asking that “scheduling be postponed” and “setting a trial date be postponed,” to allow further attempts at settlement. Dkt. No. 61 at 4. Consequently, on September 13, 2019, the Court issued an order for plaintiff Glass to show cause why the case should not be dismissed under Federal Rule of Civil Procedure 41(b), for failure to prosecute. Dkt. No. 63. The deadline for a response was September 25, 2019. No response has been filed.

Plaintiff has failed to show any cause why the case should not be dismissed and she appears to have abandoned the case. While the Court favors the disposition of cases on the merits, it has considered the five factors set forth in *Malone v. United States Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987), and finds that dismissal here is warranted by the circumstances. The case is dismissed without prejudice under Rule 41(b) and the file is closed.

IT IS SO ORDERED.

Dated: October 7, 2019



JAMES DONATO
United States District Judge